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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650

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EXAMINER	
EPSHTEYN, ALEXANDER	

ART UNIT	PAPER NUMBER
3713	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/517,443	SHIMIZU ET AL.	
	Examiner	Art Unit	
	Alex Epshteyn	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The objections to the title and the abstract are withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11, and 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Benoy (US Patent 6,896,618).

In regards to claim 11, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network, wherein the game machine comprises an external interface configured such that an external memory medium is detachably attached thereto (3: 1-13). The game system includes an ID generating means for generating an ID for uniquely identifying an external memory medium attached to the external interface (3: 3-8), where the ID can be recorded in a magnetic data recording area provided in the external memory medium (10: 38-59). The gaming system further includes means for generating an access code corresponding to the ID (10: 60-67) and visually identifiable to the game player and printing means for printing the access code on an external memory medium (16: 10-45

and 18: 44-60). The gaming machine establishes a connection with the server device via a network and the server device comprises data management for managing the ID and access code in association with one another, authenticating the game player in accordance with the access code, and upon authentication of the game player, providing the game player with a network service (10: 60-67 and 11: 1-7).

In regards to claim 14 and 15, the game system comprises memory means for storing a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs (3: 14-30). It is obvious to one skilled in the art that a prescribed requirement of casino games such as those listed by Benoy is to achieve a certain result in the game.

In regards to claim 16, the game system comprises image display means for displaying an image (3: 14-30). The server device comprises a database (5: 53-65). The data management authenticates the game player in accordance with the access code entered from a terminal device connected to the server device vie a network, and upon authentication of the game player, stores a character message entered from the terminal device in the database, and also sends the character message to the game machine when the game player plays a game at the game machine, and the game machine displays the character message received from the server device on the image display (27: 17-46).

In regards to claim 17, the external medium stores a portion of information to be used for game processing and the server device stores information to be used for game

processing and wherein the game machine, if connectable with the server device via a network, obtains all the information to be used for game processing from the server device to perform game processing (5: 53-67 and 6: 1-19).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy et al. in view of Beach et al. (US Patent 6,116,402).

What Benoy teaches is discusses above and incorporated herein. Benoy teaches of using a serial number read from a program server such as the game system server or the game machine to encode a magnetic card with loyalty program registration information. While, Benoy does not explicitly teach of using time information as part of the serial number, Benoy does teach of using time information for various functions on the gaming machine (11: 8-20). Beach, however, teaches of a system that encodes vouchers that are in the form of magnetic cards with time and machine location information (9: 20-27). Beach discusses that the reason to do this is for security purposes and to be able to encode a large number of unique information cards. It would be obvious for one skilled in the art at the time the invention was made to have modified the teachings of Benoy and incorporate the teachings of Beach to allow the tracking of timing as Benoy teaches to be used to define the serial numbers used to

encode the player identification cards so that a large number of unique ranges of card information could be encoded in the system.

In regards to claim 13, Benoy teaches of obtaining time information from the server (11: 8-21).

Response to Arguments

Applicant's arguments filed April 25, 2006 have been fully considered but they are not persuasive.

With regards to the contention that Benoy does not teach of generating an ID uniquely identifying an external memory medium or recording means for recording the generated Id in a magnetic data recording area, the examiner respectfully disagrees. Benoy clearly teaches of obtaining a serial number or a bar code read from a loyalty program registration server (3: 3-12) and then registering this information on a "blank" magnetic card (15: 25-55). Further, the loyalty program registration can have other unique identifications such as fingerprints or signatures that are also added to the card (16: 10-45).

With regards to the contention that Benoy fails to teach of generating an access code corresponding to the ID, the Examiner contends that registering a PIN number associated with the loyalty program device meets the limitation of generating an access code corresponding to the ID. Further, Benoy does teach of managing the ID with the access code since a user must first identify themselves with the ID means whether it be a bar code or any other identification means and then enter an access code to prove that they are indeed the player identified with the particular account.

With regards to the contention that Benoy in view of Beach does not represent analogous art and cannot be used for combining, the Examiner disagrees. Beach, is simply used to show that using a timestamp for generating identification information such as the transaction number in Beach is a simple and effective way to both ensure security of the identification number and to also provide a means to generate a large number of unique identification numbers such as Beach teaches. It has been held that the determination that a reference is from a nonanalogous art is twofold. First, we decide if the reference is within the field of the inventor's endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved. In re Wood, 2020 USPQ 171, 174. In this case, Beach is concerned with generating identification numbers, in the particular instance, transaction numbers for identifying each voucher. Thus, since Beach teaches of generating some sort of identification number, the teachings of Beach can be applied to generating the identification numbers of Benoy to prove that using timestamps for identification information is well known in the art.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Epshteyn whose telephone number is 571-272-5561. The examiner can normally be reached on M-F 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

XUAN M. THAI
SUPERVISORY PATENT EXAMINER
TC3700